THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9909 OF 2006

20.06.2006

Between:

Gadde Sri Hari, S/o.Murali Krishna

And another

… Petitioner

AND

The District Collector, West Godavari District, Eluru

And another

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9909 OF 2006

ORDER:

The petitioners are residents Buttaigudem Village in West Godavari District. They allegedly owned land admeasuring Acs.5.74 in R.S.No.74/1 situated at Pattenapalem of Jangareddigudem Mandal in West Godavari District. They allege that so as to take the petitioners' land for distribution as house sites, the respondents came to the land and marked the land on 12.5.2006. Apprehending dispossession without due process of law, the present writ petition is filed seeking a direction to the respondents not to dispossess them.

As rightly pointed out by the learned Assistant Government Pleader for Revenue (General), this writ petition is filed on mere apprehension. It is needless to point out that unless and until appropriate procedure under law is followed, if the petitioners are true owners having valid title and the land does not belong to the Government, they cannot be dispossessed by adopting coercive methods. This observation would safeguard the interest of the petitioners.

The writ petition is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

June 20, 2006

YS